

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ONE AVIATION CORPORATION, *et al.*,

Debtors.¹

Chapter 7

Case No. 18-12309 (CSS)

CITIKING INTERNATIONAL US
LLC,

Civil Action No. 20-1569-CFC

Appellant,

v.

ONE AVIATION CORPORATION,

Appellee.

AGREED STIPULATION REGARDING BRIEFING ORDER

Appellant Citiking International US LLC (“Citiking”), George L. Miller, as the chapter 7 trustee (the “Trustee”) for ONE Aviation Corporation, *et al.* (“Debtors”), and AML Global Eclipse LLC (“AML Global”, collectively with Citiking, and the Trustee, the “Parties”) are filing this agreed stipulation regarding the briefing order entered on February 11, 2021 for the above-captioned appeal (the “Appeal”).

¹ The Debtors are: ONE Aviation Corporation, Case No. 18-12309; ACC Manufacturing, Inc., Case No. 18-12310; Aircraft Design Company, Case No. 18-12311; Brigadoon Aircraft Maintenance, LLC, Case No. 18-12312; DR Management, LLC, Case No. 18-12313; Eclipse Aerospace, Inc., Case No. 18-12314; Innovatus Holding Company, Case No. 18-12315; Kestrel Aircraft Company, Inc., Case No. 18-12316; Kestrel Brunswick Corporation, Case No. 18-12317; Kestrel Manufacturing, LLC, Case No. 18-12318; Kestrel Tooling Company, Case No. 18-12319; OAC Management, Inc., Case No. 18-12320.

RECITALS

WHEREAS, the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) entered the *Order (I) Approving Purchase Agreement, (II) Authorizing Sale Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Granting Related Relief* [Docket No. 1063] (the “Sale Order”);

WHEREAS, on November 22, 2020, Appellant filed a *Notice of Appeal* [D.I. 1] of the Sale Order (the “Appeal”);

WHEREAS, Chief U.S. Magistrate Judge Mary Pat Thyng recommended [D.I. 26] (the “Recommendation”) that the Appeal be withdrawn from mandatory mediation;

WHEREAS, on February 11, 2021, the Court entered an *Order* at D.I. 24 (the “Briefing Order”) accepting the Recommendation regarding mediation and setting a briefing schedule;

WHEREAS, AML Global is the purchaser of the Debtors’ assets which were sold pursuant to the Sale Order;

WHEREAS, on February 18, 2021, the Debtors’ chapter 11 cases were converted to cases under chapter 7 of the Bankruptcy Code;

WHEREAS, the Trustee was appointed on February 18, 2021; and

WHEREAS, the Parties wish, subject to the approval of the Court, to amend the Briefing Order to (i) add AML Global and the Trustee as Parties thereto, and (ii) extend the briefing deadlines by ninety (90) days.

STIPULATION

1. Therefore, with respect to the Appeal, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned, that the Briefing Order is modified such that:
 - a. Appellant shall file its brief in support of the Appeal on or before **July 12, 2021**;

- b. AML Global and the Trustee shall file their briefs in opposition on or before **September 14, 2021**;
- c. Appellant shall file its reply brief on or before **October 15, 2021**.
2. The briefing schedule set forth above is without prejudice to the right of the Trustee or AML Global to file a dispositive motion in the Appeal.

Dated: March 24, 2021

THE ROSNER LAW GROUP LLC <u>/s/ Zhao Liu</u> Frederick B. Rosner (DE Bar No. 3995) Zhao (Ruby) Liu (DE Bar No. 6436) 824 N. Market Street, Suite 810 Wilmington, DE 19801 Tel: 302-777-1111 Email: rosner@teamrosner.com Email: liu@teamrosner.com <i>Attorneys for Citiking International US LLC</i>	PACHULSKI STANG ZIEHL & JONES LLP <u>/s/ Mary F. Caloway</u> Laura Davis Jones (DE Bar No. 2436) Mary F. Caloway (DE Bar No. 3059) 919 N. Market Street, 17 th Floor Wilmington, DE 19801 Tel: 302-652-4100 Email: ljones@pszjlaw.com Email: mcaloway@pszjlaw.com FRIED FRANK HARRIS, SHRIVER & JACOBSON LLP Gary L. Kaplan Carl I. Stapen One New York Plaza New York, NY 10004 Telephone: (212) 859-8000 Facsimile: (212) 859-4000 Email: gary.kaplan@friedfrank.com carl.stapen@friedfrank.com matthew.rowe@friedfrank.com <i>Attorneys for AML Global Eclipse LLC</i>
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*Proposed Counsel to George L. Miller, as
Interim Chapter 7 Trustee for the Estates of
the Debtors*

APPROVED AND SO ORDERED BY:



COLM F. CONNOLLY
U. S. DISTRICT COURT JUDGE